 NORFOLK Department of Police	Administrative General Order – ADM-442: Abatement Notification		
	Office of Preparation: Office of Support Services (mar)		
	CALEA: 45.1.1, 45.1.3		
LEGAL REVIEW DATE:	1-10-2018	PRESCRIBED DATE:	1-10-18
City Attorney:	Cy B Hall	City Manager/Director of Public Safety:	Jamela D. Smith
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		[Signature]	

Purpose:

The purpose of this order is to establish procedures for utilizing the City of Norfolk Uniform Notice of Violation.

Policy:

Enforcement of environmental nuisances plays an important role in the overall living conditions in a healthy community. It is the policy of the Norfolk Police Department to take an active role in assisting the Fire Marshal's Office and the City Attorney's Office in eradicating these nuisances by way of diligently enforcing various environmental, zoning, and/or building codes.

Supersedes:

1. G.O. ADM-442, dated December 2, 2009
2. Any previously issued directive conflicting with this order

Order Contents:

- I. Crime Prevention Through Environmental Design (CPTED)
- II. Uniform Notice of Violation
- III. Environmental Crime

I. Crime Prevention Through Environmental Design (CPTED) (CALEA 45.1, 45.1.3)

Enforcement of environmental nuisances plays an important role in the prevention of opportunistic crime due to property deterioration and neglect. Crime is prevalent in areas that are not properly maintained (damaged fencing, broken windows, graffiti, inattentive property owners). The proper maintenance of building structures, landscaping and lighting assists in the prevention of crime and discourages would-be offenders from future criminal activity. It is the policy of this department to support all agencies and community groups with prompt and consistent enforcement of zoning, building and environmental code violations.

II. Uniform Notice of Violation

The Uniform Notice of Violation Report (Attachment A), will be used to report any observed violations of City of Norfolk environmental, zoning, and/or building codes.

A. Authority

No personnel are authorized to inspect or investigate on private property without the expressed consent of the owner/agent/occupant or a valid search warrant. Inspections may be made from the public right of way, in "plain view," or from adjacent property with permission from property owners.

The following city departments' personnel are authorized to issue the Uniform Notice of Violation and enter onto property as necessary to serve notice:

1. Police
2. Environmental Health Specialists
3. New Construction and Property Maintenance Inspectors
4. Department of Public Works Construction Inspectors and Waste Management Inspectors
5. Fire Marshal's Office

B. Procedure for Completion

1. Owner/Agent/Occupant and Mailing Address
Place information on the owner, agent, or occupant who is to be cited on the first line. Each officer, through prudent investigation, will determine the proper individual to cite for the violation.

2. The address of the property in violation is placed on the second line.

3. Expiration date

- a) The minimum time given a person to correct a violation is 48 hours from the time notice is served.
- b) The maximum time given a person to correct a violation is 14 days from the time notice is served.
- c) Within the previous two guidelines, officers may use discretion based on information gathered and the nature of the violation when setting the expiration date.

4. Violations

If officers observe a violation of Accumulation of Solid Waste (Sec. 14.5-5 cc, item 1 on the violation notice), or Pollution of the Storm Water System (Sec. 41.1-4 cc, item 11 on the violation notice), they may issue a summons to the violator immediately and completion of the notice is not necessary.

Violations are listed from 1 to 10 on the Uniform Notice of Violation Report.

- a) Place an "X" on the line preceding the number of each violation.
- b) Place an "X" in any box as appropriate for the cited violation(s).
- c) Complete the known vehicle information for item 8 as appropriate.

5. Specific Corrective Action Required

Write in necessary corrective action, e.g., remove solid waste from property, cut tall grass, repair or move vehicle from property.

6. Inspector/Officer, Date and Phone

- a) Print issuing officer's name legibly in the space for Inspector/Officer.
- b) Write the date of issue in the space for Date.

- c) Write issuing officer's division phone number in the space for Phone.

C. Procedures for issuance after completion

The Uniform Notice of Violation consists of three copies: white, yellow, and pink.

1. Property where Owner/Agent/Occupant is known.

- a) Hand deliver white copy to individual.
- b) If property is obviously occupied but no one is home, attach the white copy to the main entry door.

2. Property where Owner/Agent/Occupant is not known.

If property is obviously occupied but no one is home, print the word "Occupant" in the space for Owner/Occupant and attach the white copy to the main entry door.

3. In the event that an officer comes across a property that meets one of the conditions noted below, the officer will contact the Norfolk Cares Assistance Center Hotline (Attachment B) at 664-6510, and make a referral for a follow up:

- a) Unoccupied,
- b) A vacant lot,
- c) A property controlled by an out-of-state person/company with no occupant, or,
- d) The officer is not able to follow up on the abatement process.

4. Violations officers intend to follow up.

- a) Complete report and denote expiration date as prescribed.
- b) Post/deliver white copy as prescribed.
- c) Re-inspect property after the expiration date.
 - (1) If violation has been corrected, dispose of white and yellow copies, retain pink copy for files, and denote

violation has been corrected and record the date.

- (2) If violation has not been corrected, cite the violator (Owner/Agent/Occupant) using a Virginia Uniform Summons to Norfolk General District Court #2B. If the violator cannot be located, but all the personal information is known, a warrant or magistrate's summons may be obtained.
 - (3) If the Owner/Agent/Occupant is not known and the violation has not been corrected, contact the Norfolk Cares Assistance Center Hotline (Attachment B) at 664-6510, and make a referral.
 - (4) If a summons is issued along with the Uniform Notice of Violation, send a copy of both to the City Attorney's Office. If assistance is needed with prosecution, contact the City Attorney's Office and make a request.
5. Uniform Notice of Violation reports will be reviewed by immediate supervisors and submitted to the command by the end of the submitting officer's tour of duty. The reports will then be forwarded as prescribed in this general order.

II. Environmental Crime

If immediate assistance is required at the scene of an environmental crime, e.g., hazardous waste or large scale illegal dumping, contact the Norfolk Fire Marshal's office at 664-6604, or notify the dispatcher (441-5610) and request that the on-call Fire Marshal or investigator be notified of the situation. The team member will either respond or provide the necessary information to assist with the scene.

Related Document:

Norfolk City Code Chapters 14.5, 15, 17.1, 27, 41.1, and 49

Attachments:

- A. Uniform Notice of Violation
- B. Norfolk Cares Assistance Center



**City of
Norfolk**

Uniform Notice of Violation

Owner/
Occupant: _____

NQ/HTE #: _____

Address: _____

Date: _____

City State: _____

An inspection of the property located at _____, Norfolk, VA over which you have control, has been made and the following violation(s) observed. Your immediate action is required. Violation(s) noted below must be corrected on or before this expiration date: _____. Failure to comply may result in the issuance of a summons and court appearance. Failure to complete the correction within the time specified may result in the City undertaking the abatement at the expense of the person identified in this notice on or after: _____

- _____ 1. Accumulation of solid waste: Sec. 14.5-5 of the Code of the City of Norfolk. (Fine up to \$2500/day and/or 12 months in jail).
- _____ 2. Public Nuisance Sec. 27-6 of the Code of the City of Norfolk. (Fine up to \$1000/day and/or 6 months in jail). ☐ Weeds and Grass taller than 12 inches ☐ Trash and Debris
- _____ 3. Public Nuisance: Specify _____
Sec 27-6 of the Code of the City of Norfolk. (Fine up to \$1000/day and/or 6 months in jail).
- _____ 4. Duty of owner or occupant of abutting land (between the sidewalk and the right of way) must be maintained Sec 27-9 of the Code of the City of Norfolk. (Fine up to \$1000/day and/or 6 months in jail).
- _____ 5. Refuse: Chapter 41 of the Code of the City of Norfolk. (Fine up to \$500/day)
☐ Improper storage ☐ Overflow ☐ Illegal container/placement ☐ Waste container out on non-collection day
☐ Improper bulk waste storage screening requirements ☐ Improper bulk waste storage
- _____ 6. Mosquito/insect breeding: Chapter 36 of the Code of the City of Norfolk. (Fine up to \$2500/day and/or 12 months in jail).
- _____ 7. Vehicles improperly parked: Chapter 25 of the Code of the City of Norfolk. (Fine up to \$250/day).
- _____ 8. Inoperable vehicle: Make: _____ Type: _____ Year/Color: _____
License #: _____ VIN #: _____ Other: _____
☐ Inoperable ☐ Extensively damaged ☐ Missing parts ☐ Wrecked/disassembled
☐ Does not display current State license and State inspection decal ☐ Vehicle tagged? ☐ Yes ☐ No
Corrective Action: Correct violation or remove vehicle or store in a completely enclosed structure.
Failure to comply may result in the removal of the vehicle by the City. Sec. 29-58 of the Code of the City of Norfolk. (Fine up to \$1000/day and/or 6 months in jail)
- _____ 9. Building is vacant and open to public: Sec. 27-6 of the Code of the City of Norfolk. (Fine up to \$1000/day and/or 6 months in jail).
- _____ 10. Pollution of the storm water system: Sec. 41.1-4 of the Code of the City of Norfolk. (Fine up to \$2500/day and/or 12 months in jail).
- _____ 11. Other violation(s): _____

Specific Corrective action required: _____

Inspector/Officer: _____ Phone: _____ Date: _____

Norfolk Cares Assistance Center

G.O. ADM-442 Abatement Notification

The Norfolk Cares Assistance Center was established in direct response to requests from Norfolk residents and City Council to improve the processing of resident complaints and concerns. By simply dialing 664-6510, residents & workers can report concerns, obtain information on any city service, or check on the city's response to previous complaints and requests for service.

The number is staffed Monday through Friday 8:00 a.m. to 6:00 p.m. After hours, residents are welcome to leave a message concerning a complaint or request for services, which will be processed as soon as staff arrive the next business day. You may also register a concern or request online at norfolk.gov and click on the CARE CENTER tab.

How Norfolk IMPACT works?

- A representative will assist you in finding the appropriate department and address your needs.
- A request is created and automatically routed to the proper department.
- The department will respond to the request generated by a Norfolk Cares IMPACT representative.

Do I have to leave my name?

No.

All complaints are kept confidential and will not be revealed to anyone except city staff members or through FOIA Requests. It is extremely beneficial that the city staff member tasked with resolving the issue have a name and phone number to follow up or to obtain further information. Should you choose not to leave a name and phone number you may always call back to check on the progress.

How long will it take?

The length of time to correct a problem or respond to a request will vary. Many violations require, by law, specified amount of time to correct the violation, while others may be taken to court. In other instances, the problem may not be a violation under City law and resolution may be more complex.

Will you tell me what happened?

Yes.

All concerns are tracked from the time they are logged in, assigned to the department, through to its closure. We maintain this record on our computers, you may contact the Call Center to receive information on the progress of the concern.

Please understand due to "privacy issues" we may not be able to release all information related to the concern if you are not the property owner.

For more information on how you and your neighbors can help make a difference visit: www.norfolk.gov/NeighborsBuildingNeighborhoods

NEIGHBORS
BUILDING
Neighborhoods
www.norfolk.gov/NBN



IMPACT

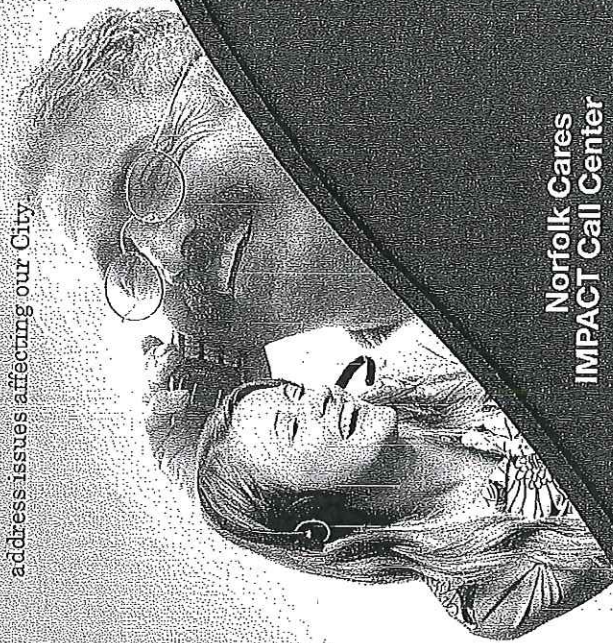
Frequently Asked Questions

- I have a question concerning the City of Norfolk, what department would I call for...?
- The outside of a home in my neighborhood is in disrepair, what can I do?
- I have informed my landlord of the severe need for repairs, but no repairs have been made. What can I do?
- How tall is too tall when it comes to weeds and grass?
- Can I park my car on the front yard?
- There is an abandoned car on my street, what should I do?

(757) 664-6510

Well-Managed Government through Customer Focus

IMPACT is an initiative led by the Department of Information Technology to become a more responsive customer-oriented organization. IMPACT is a new way of providing customer service. The goals of IMPACT are (1) to have data-driven solutions that are measured and reported to the public and (2) to have a more efficient, better-managed method of quality control to address issues affecting our City.

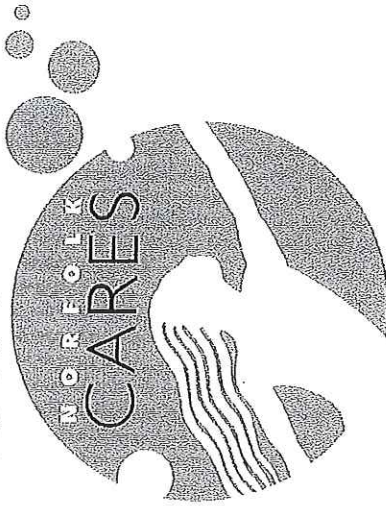


Norfolk Cares
IMPACT Call Center
Department of
Information Technology
www.norfolk.gov

Call Center
664-6510

Monday - Friday
8:00 a.m. - 6:00 p.m.
Excluding Holidays
Recording after Hours

www.norfolk.gov/311callcenter
E-Mail: healthynighborhoods@norfolk.gov



IMPACT